IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22844 of 2004

Between:

Amitab Sharma, S/o. Baji Nath Sharma,
R/o. 9-1-1/160/B, Bapu Nagar, Langerhouse, Hyderabad.

... PETITIONER

AND

1 The State of A.P., rep. by its Principal Secretary,
Home Department, Secretariat, Hyderabad.
2 The Deputy Commissioner of Police, West Zone,

Masab Tank, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ, Order or Direction more particular are the nature of Writ Mandamus declaring the inaction of the respondent No.2 in not re-registering my gun licence is arbitrary,, illegal, unjust and violative of Art 19 (1) (f) of the Constitution of India and consequently direct the respondent No.2 to re-register the gun licence of the petitioner.

Counsel for the Petitioner:MR.C.M.R.VELU

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

-

-

-

-

-

-

-

-

-

-

-

O R D E R:

-

The petitioner claims that he was issued an arms licence by the Government of Nagaland to hold a Single Barrel Gun, and that he migrated to Hyderabad in the year 2002. He claims to have made a representation dated 4.10.2002 to the second respondent to reregister the licence. He complains that no action has been taken therein so far.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

The petitioner asserts that the Government of Nagaland has issued an arms licence to him to hold and use a Single Barrel Gun. The licence is said to be valid up to 31.12.2004. He has migrated to Hyderabad, and the licence is to be reregistered by the local authority, namely, the second respondent. The apprehension of the petitioner is that, if the licence is not renewed, he would be disabled to hold the weapon and his life would be in jeopardy.

The question as to whether the petitioner has fulfilled the conditions for reregistration of the licence needs to be considered by the second respondent. By the very nature of the things, such matters need to be disposed of without any delay. If no orders are passed by the end of December, holding of the weapon by the petitioner would become illegal.

In that view of the matter, the writ petition is disposed of, directing the second respondent to pass appropriate orders on the representation submitted by the petitioner for reregistration of his licence, by 25.12.2004. There shall be no order as to costs.

10th December, 2004

Note: Dispatch the copy immediately.

(B/o)

pan

To

1 The Principal Secretary,

Home Department, Government of Andhra Pradesh,
Secretariat, Hyderabad.

2 The Deputy Commissioner of Police, West Zone,

Masab Tank, Hyderabad.

3 Two C.Cs to the Government Pleader for Home,

High Court Buildings, Hyderabad (OUT).

4 Two C.D. copies.